

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AGRE-00 L-03 IO-13 CIAE-00

COME-00 DODE-00 DOTE-00 FMC-01 INR-07 NSAE-00

CG-00 DLOS-09 OES-07 TRSE-00 /060 W

-----025437 011607Z /47

R 011532Z JUL 77

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 5046

INFO AMEMBASSY LONDON

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY OSLO

AMEMBASSY STOCKHOLM

AMEMBASSY ROME

AMEMBASSY BERN

AMEMBASSY LUXEMBOURG

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DEPT PASS AGRICULTURE FROM AGATT - ELECTRONICALLY

E.O. 11652: N/A

TAGS: EAGR, FR

SUBJECT: AGREEMENT ON INTERNATIONAL CARRIAGE OF PERISH-
ABLE FOODSTUFFS (ATP)

REF: 1) PARIS 18500; 2) STATE 133927

SUMMARY: AGATT MET MR. ADROIT, MINAG, DIRECTION DE LA
QUALITE, JUNE 29 TO DISCUSS US REFRIGERATED CONTAINER
PROBLEM (REFTEL 1 AND 2). FRENCH FOREIGN MINISTRY
OMITTED SENDING US LETTER DATED EARLY DECEMBER 1976 AD-
VISING QUOTE INTERESTED UNQUOTE COUNTRIES OF SPRING 1977
APPLICATION OF REEFER REGULATIONS. US CONTAINERS GIVEN
RELIEF FROM PROBLEM UNTIL SEPTEMBER 1977.

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1. ON TEXT JUNE 29, ASSISTANT AGRICULTURAL ATTACHE
BROWNE, BRUSSELS MARITIME ATTACHE BARON, SEALAND REPS
L'HOTELLIER, STEWART AND HAITUNA MET WITH MR. ADROIT,
FRENCH VET SERVICE, DIRECTION DE LA QUALITE, MNAG, AND
DISCUSSED FRENCH CERTIFYING REGULATIONS FOR REFERS.

2. MR. ADROIT THEN ASKED WHY SEALAND OR USG WAS RELUCTANT TO ACCEPT FRENCH CERTIFICATION PROCESS. ANSWERING THIS, ASST AGATT BROWNE SAID A FEW POINTS NEEDED TO BE CLARIFIED.

3. BROWNE QUOTED USDEL GUILFOY, OCTOBER 8 REPORT OF SEPTEMBER 20-22, 1976 ECE 30TH SESSION, STATING (PG. 4) THAT FRENCH DELEGATE SAID NOTHING OTHER THAN THAT ATP WOULD BE APPLIED AFTER NOVEMBER 21, 1976 WHEN ATP BECAME EFFECTIVE. M. ADROIT SAID THAT THIS WAS MISLEADING BECAUSE HE (THE FRENCH DEL TO ECE MEETING) HAD SAID THAT FRENCH WOULD NOT SEVERELY APPLY ATP REGULATIONS ON NOVEMBER 21 BUT WOULD GRADUALLY TIGHTEN DOWN TO ATP REQUIREMENTS.

4. M. ADROIT SAID THAT ATP DOES TAKE PRECEDENCE OVER 1974 FRENCH REGULATION ON REFERS, BUT THAT 1974 FRENCH LAW INCLUDES HYGIENE REGULATION THAT IS NOT IN ATP. ADROIT SAID FOREIGN MINISTRY SENT LETTER IN DECEMBER 1976 TO ALL INTERESTED GOVERNMENTS STATING THAT IN SPRING 1977 ATP REGULATIONS WOULD BE REQUIRED FOR ATP SIGNATORY COUNTRY CONTAINERS. FOR NON-SIGNATORY CONTAINERS 1974 LAW WOULD BE APPLIED. BROWNE ASKED FOR COPY OF THIS DECEMBER GOF LETTER SAYING HE HAD NOT SEEN IT AND THAT HE WOULD LIKE TO SUBMIT LETTER TO WASHINGTON FOR THEIR VIEWS BEFORE MAKING ANY COMMENTS. LIMITED OFFICIAL USE

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ADROIT SAID IT WOULD BE LITTLE LATE FOR COMMENTS, BUT HE WOULD ASK FOREIGN MINISTRY TO SEND US A COPY. (ADROIT THEN READ COPY OF DECEMBER LETTER AND DISCOVERED THAT US WAS NOT INCLUDED AS AN ADDRESSEE).

5. IN ANSWER TO ADROIT'S QUESTION ABOUT RELUCTANCE TO AGREE TO FRENCH CERTIFYING PROGRAM FOR US CONTAINERS (TO WHICH SEALAND REPS WERE FIRMLY OPPOSED), BROWNE TOLD ADROIT THAT: A) USG WAS UNCLEAR WHAT LAWS WERE BEING APPLIED, AND WAS UNCLEAR ABOUT WHAT WAS REPORTED IN GUILFOY REPORT VERSUS CURRENT FRENCH POSITION; AND B) USDA WAS DEVELOPING LEGISLATION TO ENTER ATP AND DIFFERENT INTERNATIONAL AGREEMENT WOULD BE CONFUSING AND COUNTERPRODUCTIVE TO SPEEDY ATP SIGNING.

6. M. ADROIT SAID THAT IN VIEW OF FACTS THAT US WAS NOT SENT DECEMBER LETTER AND THAT BY OUR PRESENCE USG WAS INTERESTED IN DISCUSSING CURRENT PROBLEM, HE SUGGESTED FOLLOWING:

A. IN SEPTEMBER, AFTER QUOTE RENTREE UNQUOTE (RETURN FROM SUMMER VACATIONS), USG AND GOF EXPERTS MEET IN

PARIS TO AGREE OR AT LEAST DEVELOP USG-BACKED CERTIFICATE
THAT WOULD CERTIFY OR GUARANTEE THAT US REFERS MEET ATP
TECHNICAL REQUIREMENTS. THIS CERTIFICATE SYSTEM WOULD

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CG-00 DLOS-09 OES-07 TRSE-00 /060 W
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BE TEMPORARY UNTIL US ENTERED ATP.

B. HE WOULD CALL FRENCH PORTS JUNE 29, 1977 AND INSTRUCT
PROPER OFFICES TO TEMPORARILY EXEMPT US CONTAINERS FROM
NEEDING CERTIFICATES. THIS TEMPORARY EXEMPTION WOULD
LAST UNTIL SEPTEMBER USG-GOF MEETING.

C. ADROIT WOULD HAVE FOREIGN MINISTRY SEND BROWNE AND
HAITSMA COPIES OF DECEMBER LETTER.

7. COMMENTS: ADROIT'S SUGGESTION (PARA 7 (A) ABOVE)
WAS SPONTANEOUS SUGGESTION, AND SEPTEMBER MEETING COULD
BE TO IRON OUT ANY TECHNICAL DETAILS (TECHNICAL FROM
EITHER AN ADMINISTRATIVE POINT OR ENGINEERING POINT).

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ALSO, THESE CERTIFICATES WOULD NEED TO BE CARRIED WITH EACH CONTAINER SIMILAR TO SYSTEM OF USDA PHYTO-SANITARY CERTIFICATE ACCOMPANYING CERTAIN FOOD IMPORTS. ADROIT SEEMED VERY WILLING TO WORK TOWARD AGREEABLE SOLUTION TO CURRENT PROBLEM. IT WAS ALSO UNDERSTOOD THAT US WOULD WORK TOWARD ENTERING ATP. ENTERING ATP WOULD THEN PRECLUDE THESE TEMPORARY MEASURES AS WELL AS FRENCH DOMESTIC LAW.
GAMMON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, TRANSPORTATION, POLICIES, AGREEMENT DRAFT, FOODS
Control Number: n/a
Copy: SINGLE
Sent Date: 01-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
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Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
From: PARIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770798/aaaadhab.tel
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Litigation Code IDs:
Litigation Codes:
Litigation History:
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Office: ACTION EB
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 PARIS 18500, 77 STATE 133927
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 02-Mar-2005 12:00:00 am
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1983648
Secure: OPEN
Status: NATIVE
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TAGS: EAGR, FR, US
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/47f6f071-c288-dd11-92da-001cc4696bcc
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